

**HAWAII STATE
HOUSE OF REPRESENTATIVES**


REGULAR SESSION OF 2011

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

**TWENTY-NINTH DAY
MARCH 14, 2011**

OFFICE OF THE CHIEF CLERK

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TWENTY-NINTH DAY

Monday, March 14, 2011

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2011, convened at 12:07 o'clock p.m., with the Speaker presiding, after which the Roll was called showing all Members present with the exception of Representatives Carroll, Coffman, McKelvey and Morita.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Eighth Day was deferred.

INTRODUCTIONS

The following introductions were made to the Members of the House:

REMARKS DELIVERED: Rep. C. Lee
Rep. Marumoto

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATION)

The following resolution (H.R. No. 102) was announced by the Clerk and the following action taken:

H.R. No. 102, entitled: "HOUSE RESOLUTION CELEBRATING THE 5TH ANNUAL LEGISLATIVE HAWAIIAN CAUCUS DAY," was offered by Representative Hanohano.

Representative Hanohano moved that H.R. No. 102 be adopted, seconded by Representative C. Lee.

The Hawaiian Caucus honored four individuals, seated on the Floor of the House, for their selfless dedication to the Hawaiian culture and community.

Representative Hanohano introduced Mr. Jerry Konanui of Pahoa, well known for his expertise in Hawaiian *kalo*, *awa*, *ko* and *'uala*, and his efforts to perpetuate traditional food and medicinal plants. Seated in the gallery was his wife, Mrs. Gladys Konanui.

Representative Har introduced Uncle Shad Kane of Kapolei, a tireless leader in the Hawaiian community promoting Hawaiian culture and heritage in the Kapolei and West Oahu region. Seated in the gallery were his wife, Mrs. Valerie Kane; and grandson, Mr. Brennan Aiona.

Representative C. Lee introduced Kumu Hula Leina'ala Kalama Heine of Waimanalo, best known for her extensive knowledge and dedication to the tradition of *mele hula* and *mele oli*, and the preservation of Hawaiian culture.

Representative Riviere introduced Kupuna Dorothy Kanani Awai of Haleiwa, Hawaiian studies teacher and long-time *ukulele* and music instructor, perpetuating the tradition of Hawaiian music.

The motion was put to vote by the Chair and carried, and H.R. No. 102 was adopted, with Representatives Carroll, Coffman, McKelvey and Morita being excused.

At 12:23 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

REPORTS OF STANDING COMMITTEES

Representatives Rhoads and McKelvey, for the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 951) recommending that S.B. No. 1089, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative B. Oshiro moved that the report of the Committees be adopted, and that S.B. No. 1089, SD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Pine
Rep. Fontaine
Rep. Thielen
Rep. Ching

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 1089, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISLOCATED WORKERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Carroll, Coffman, Keith-Agaran, Marumoto, McKelvey, Morita and Nakashima being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 952) recommending that H.B. No. 200, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative B. Oshiro moved that the report of the Committee be adopted, and that H.B. No. 200, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Ward
Rep. Ching

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 200, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Carroll, Coffman, Marumoto, McKelvey, Morita and Nakashima being excused.

REMARKS DELIVERED: Speaker Say

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 953) recommending that H.B. No. 300, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 953 on H.B. No. 300, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 300, HD 2, were made available to the Members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 954) recommending that H.B. No. 400, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 954 on H.B. No. 400, HD 1, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 400, HD 1, were made available to the Members of the House.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 98 through 101) and concurrent resolutions (H.C.R. Nos. 107 through 111) were referred to Printing and further action was deferred:

H.R. No. 98, entitled: "HOUSE RESOLUTION REQUESTING THE ATTORNEY GENERAL TO ESTABLISH A SPECIAL TASK FORCE TO INVESTIGATE THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY FOR POSSIBLE VIOLATIONS OF THE HAWAII ADMINISTRATIVE PROCEDURE ACT OR THE SUNSHINE LAW," was offered by Representative Carroll.

H.R. No. 99, entitled: "HOUSE RESOLUTION RECOGNIZING SEPTEMBER 2011 AS EDUCATION AWARENESS AND APPRECIATION MONTH IN HAWAII," was jointly offered by Representatives Mizuno, Brower, Takai and Takumi.

H.R. No. 100, entitled: "HOUSE RESOLUTION REQUESTING WHOLESALERS AND RETAILERS IN HAWAII TO VOLUNTARILY REFRAIN FROM SELLING, PURCHASING, AND DISTRIBUTING PRODUCTS THAT CONTAIN BISPHENOL-A," was jointly offered by Representatives Mizuno, Cabanilla, Thielen, Awana and Brower.

H.R. No. 101, entitled: "HOUSE RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was offered by Representative Mizuno.

H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A JOINT LEGISLATIVE INVESTIGATING COMMITTEE TO INVESTIGATE THE STATUS OF TWO EXECUTIVE AGREEMENTS ENTERED INTO IN 1893 BETWEEN UNITED STATES PRESIDENT GROVER CLEVELAND AND QUEEN LILIUOKALANI OF THE HAWAIIAN KINGDOM, CALLED THE LILIUOKALANI ASSIGNMENT AND THE AGREEMENT OF RESTORATION," was offered by Representative Carroll.

H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO ESTABLISH A SPECIAL TASK FORCE TO INVESTIGATE THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY FOR POSSIBLE VIOLATIONS OF THE HAWAII ADMINISTRATIVE PROCEDURE ACT OR THE SUNSHINE LAW," was offered by Representative Carroll.

H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING SEPTEMBER 2011 AS EDUCATION AWARENESS AND APPRECIATION MONTH IN HAWAII," was jointly offered by Representatives Mizuno, Brower, Takai and Takumi.

H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING WHOLESALERS AND RETAILERS IN HAWAII TO VOLUNTARILY REFRAIN FROM SELLING, PURCHASING, AND DISTRIBUTING PRODUCTS THAT CONTAIN BISPHENOL-A," was jointly offered by Representatives Mizuno, Cabanilla, Thielen, Awana and Brower.

H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION URGING FAITH-BASED ORGANIZATIONS TO NETWORK AND COOPERATE TO SUPPORT FOSTER FAMILIES IN HAWAII," was offered by Representative Mizuno.

ANNOUNCEMENTS

REMARKS DELIVERED: Rep. Yamane
Rep. Hanohano
Rep. Cabanilla
Rep. Awana

At 12:43 o'clock p.m. Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:57 o'clock p.m.

REMARKS DELIVERED: Speaker Say

At this time, Representative B. Oshiro presented Representative Morita with a gavel on behalf of the House of Representatives.

Rep. Tokioka
Rep. Ward
Rep. Belatti
Rep. M. Lee
Rep. Tokioka
Rep. Takumi
Rep. Morita

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
96	Committee on Housing, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
97	Committee on Energy & Environmental Protection, then to the Committee on Finance
98	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
99	Committee on Education
100	Committee on Health, then to the Committee on Consumer Protection & Commerce
101	Committee on Human Services, then to the Committee on Finance

<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
105	Committee on Housing, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
106	Committee on Energy & Environmental Protection, then to the Committee on Finance
107	Committee on Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Legislative Management
108	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
109	Committee on Education
110	Committee on Health, then to the Committee on Consumer Protection & Commerce
111	Committee on Human Services, then to the Committee on Finance

<u>S.B.</u> <u>Nos.</u>	<u>Referred to:</u>
671, SD2	Committee on Judiciary, then to the Committee on Legislative Management

893, Committee on Health, then to the Committee on Finance
SD3

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
40, SD2	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
41, SD1	Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce
142, SD1	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Agriculture, then to the Committee on Finance
741, SD1	Jointly to the Committee on Economic Revitalization & Business and the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
831, SD2	Committee on Finance

ADJOURNMENT

At 1:13 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 15, 2011. (Representatives Carroll, Coffman, Marumoto, McKelvey and Nakashima were excused.)

OTHER COMMUNICATIONS



HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

March 14, 2011

The Honorable Calvin Say
Speaker of the House of Representatives
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear Speaker Say:

I wish to inform you that I have accepted an appointment by Governor Neil Abercrombie to serve as a Public Utilities Commissioner per the attached Governor's Message No. 523. Therefore, I hereby submit my notice of resignation as State Representative, House District 14 effective March 14, 2011, 3:00 p.m.

It has been a privilege and honor to serve the island of Kauai and State of Hawaii for the past fifteen years. I am especially grateful for your and my colleagues' continued confidence in me to have chaired the House Committee on Energy & Environmental Protection for the past thirteen years. This leadership assignment undoubtedly helped to define my legislative career and opened the opportunity for me to further serve the State of Hawaii as the Chair of the Public Utilities Commission.

As I look forward to taking on this new challenge, I leave the people's house with a heavy heart because of the many special relationships I have formed with my colleagues and the dedicated support staff within this venerable institution. However, I know our work will continue together as we all strive for a better future for Hawaii.

Sincerely yours,

Hermína M. Morita
Hermína M. Morita

cc: The Honorable Neil Abercrombie, Governor, State of Hawaii
Ms. Pat Mau-Shimizu, Chief Clerk, Hawaii State House of Representatives

District 14, East and North Kauai
Chair, Energy & Environmental Protection Committee
State Capitol Building, Room 314, Honolulu, Hawaii 96813
Phone (808) 536-5435, Fax (808) 535-5437, Email: neilmorita@capitol.hawaii.gov



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

February 4, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear President Tsutsui and Members of the Senate,

In accordance with the provisions of Section 269-2, of the Hawaii Revised Statutes, I am herewith submitting the appointment of Hermína Morita to serve as Public Utilities Commissioner to the Senate, for its consideration and appointment. The expiration date of this appointment is June 30, 2014.

Neil Abercrombie
NEIL ABERCROMBIE
Governor, State of Hawaii

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